

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF DELAWARE**

ESTATE OF THELMA J. MARR, and )	
ELLIS D. MARR, AS ADMINISTRATOR )	
OF THE ESTATE OF THELMA J. MARR) )	
And individually, )	C.A. No.
)	
Plaintiffs, )	
)	
v. )	
)	
STONEBRIDGE LIFE INSURANCE )	
COMPANY, a foreign corporation, )	
)	
Defendant. )	

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §1446, Defendant Stonebridge Life Insurance Company, by and through their undersigned attorneys, give Notice of the Removal of this action from the Superior Court of the State of Delaware, in and for Kent County. Defendant set forth the grounds for Removal as follows:

1. This action was commenced by Plaintiff in the Superior Court of the State of Delaware, in and for Kent County, by the filing of their Complaint on May 30, 2005. A copy of the Complaint is attached hereto as Exhibit "A".
2. This Notice of Removal is timely because it is being filed within thirty (30) days of the receipt of service of process by Defendant named in the Complaint. See Exhibit "B" attached hereto.
3. The Complaint is the "initial pleading setting forth the claims for relief upon which the action is based" for purposes of 28 U.S.C. §1445(b).

4. The basis for the subject matter jurisdiction of this Court is apparent on the face of the Complaint, which states that Plaintiff is a citizen of the State of Delaware.

5. The Defendant is not incorporated in Delaware, nor does it maintain a principal place of business or residence in Delaware. Defendant Stonebridge Life Insurance Company is a business entity with its principal place of business located at Baltimore, Maryland and is incorporated in the State of Vermont.

6. Upon information and belief, the amount in controversy in this action exceeds \$75,000, exclusive of interests and costs, although Defendants deny liability for any amount.

7. Defendant, Stonebridge Life Insurance Company, by and through its principal, consents to Federal Court Jurisdiction.

8. Accordingly, this is an action "between citizens of different States" where "the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs," for purposes of 28 U.S.C. §1441(a).

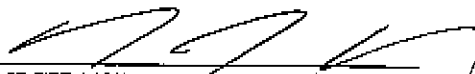
9. Defendants expressly reserve the right to raise all defenses and objections in this action after it is removed to this Court, including but not limited to the defense of lack of *in personam* jurisdiction and lack of service of process.

10. Notice of the filing of the Notice of Removal of this action from the Superior Court of the State of Delaware, in and for Kent County to the United States District Court for the District of Delaware to all adverse parties will be promptly given.

11. Promptly after filing this Notice of Removal, a certified copy will be filed with the Prothonotary for the Superior Court of the State of Delaware, in and for Kent County, in accordance with 28 U.S.C. §1446(d).

**WHEREFORE**, Defendants request this action be removed from the Superior Court of the State of Delaware, in and for Kent County to the United States District Court of the State of Delaware.

***MORGAN SHELBY & LEONI***



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**DATE:** April 25, 2005